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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/749,539
	Filing Date	12/30/2003
	First Named Inventor	Joshua D. Rabinowitz
	Art Unit	Not yet known
	Examiner Name	To be assigned
Total Number of Pages in This Submission	Attorney Docket Number	00036.07CON

ENCLOSURES (check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C. Stracker, Ph.D., J.D. Telephone (650)-687-3905	Customer Number 37485
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Date	SEP. 24 2004	

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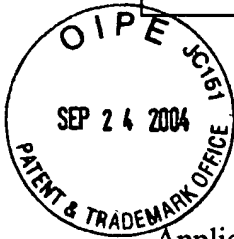
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PATENT
Attorney's Docket No.: 00036.07CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.
Serial No.: 10/749,539
Filed: 12/30/2003
Title DELIVERY OF OPIOIDS THROUGH AN INHALATION ROUTE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.


For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 502731**. Please direct all correspondence to the following customer number.

Respectfully submitted,

SEP. 24 2004

Date: _____



Elaine C. Stracker J.D., Ph.D., Reg. 43,166

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Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

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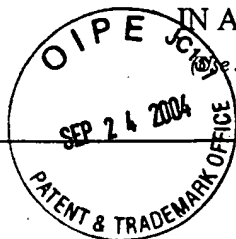
Docket Number: 00036.07 CON

Application Number: 10/749,539

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 12/30/2003

Group Art Unit: Not Yet Known


U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	07/16/1968	3,393,197	Pachter et al.			
	2.	05/27/1980	Re. 30,285	Babington			
	3.	02/14/1995	5,388,574	Ingebrethsen			
	4.	09/19/1995	5,451,408	Mezei et al.			
	5.	08/06/1996	5,543,434	Weg			
	6.	08/13/1996	5,544,646	Lloyd et al.			
	7.	08/12/1997	5,655,523	Hodson et al.			
	8.	12/09/1997	5,694,919	Rubsamen et al.			
	9.	03/10/1998	5,724,957	Rubsamen et al.			
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	11.	06/08/1999	5,910,301	Farr et al.			
	12.	06/02/1998	5,758,637	Ivri et al.			
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	24.	07/04/2002	US 2002/0086852	Cantor			
	25.	08/22/2002	US 2002/0112723	Schuster et al.			

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Docket Number: 00036.07 CON

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26.	11/28/2002	US 2002/0176841	Barker et al.
27.	01/02/2003	US 2003/0004142	Prior et al.
28.	02/13/2003	US 2003/0032638	Kim et al.

RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

29.	08/04/2003	10/633,876	Hale et al.
30.	08/04/2003	10/633,877	Hale et al.
31.	12/30/2003	10/749,537	Rabinowitz et al.
32.	01/27/2004	10/766,149	Rabinowitz et al.
33.	01/27/2004	10/766,279	Rabinowitz et al.
34.	01/27/2004	10/766,566	Rabinowitz et al.
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37.	01/27/2004	10/766,647	Rabinowitz et al.
38.	01/28/2004	10/767,115	Rabinowitz et al.
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46.	01/29/2004	10/769,197	Rabinowitz et al.
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49.	03/03/2004	10/791,915	Hale et al.
50.	03/03/2004	10/792,001	Rabinowitz et al.
51.	03/03/2004	10/792,012	Hale et al.
52.	03/03/2004	10/792,013	Rabinowitz et al.
53.	03/03/2004	10/792,096	Hale et al.

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	54.	03/03/2004	10/792,239	Hale et al.			
	55.	03/31/2004	10/813,721	Rabinowitz et al.			
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	61.	04/01/2004	10/816,492	Rabinowitz et al.			
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	82.	01/23/2003	US 2003/0017119	Rabinowitz et al.			
	83.	01/23/2003	US 2003/0017120	Rabinowitz et al.			

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Group Art Unit: Not Yet Known

	84.	1/30/2003	US 2003/0021753	Rabinowitz et al.			
	85.	01/30/2003	US 2003/0021754	Rabinowitz et al.			
	86.	01/30/2003	US 2003/0021755	Hale et al.			
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	105.	8/12/2004	US 2004/0156790	Rabinowitz et al.			
	106.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	107.	03/14/1990	EP 0 358 114	Europe			

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	108.	07/03/2001	EP 1 080 720	Europe			
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	110.	07/12/1990	WO 90/07333	WIPO			
	111.	06/13/1991	WO 91/07947	WIPO			
	112.	11/23/1995	WO 95/31182	WIPO			
	113.	04/11/1996	WO 96/09846	WIPO			
	114.	05/09/1996	WO 96/13161	WIPO			
	115.	05/09/1996	WO 96/13290	WIPO			
	116.	05/09/1996	WO 96/13291	WIPO			
	117.	05/09/1996	WO 96/13292	WIPO			
	118.	10/03/1996	WO 96/30068	WIPO			
	119.	08/07/1997	WO 97/27804	WIPO			
	120.	05/28/1998	WO 98/22170	WIPO			
	121.	07/23/1998	WO 98/31346	WIPO			
	122.	07/23/1998	WO 98/31346	WIPO			
	123.	08/27/1998	WO 98/36651	WIPO			
	124.	04/08/1999	WO 99/16419	WIPO			
	125.	12/16/1999	WO 99/64094	WIPO			
	126.	01/06/2000	WO 00/00176	WIPO			
	127.	01/06/2000	WO 00/00215	WIPO			
	128.	05/18/2000	WO 00/27363	WIPO			
	129.	05/25/2000	WO 00/29053	WIPO			
	130.	06/22/2000	WO 00/35417	WIPO			
	131.	09/17/2000	WO 00/47203	WIPO			
	132.	11/02/2000	WO 00/64940	WIPO			
	133.	11/09/2000	WO 00/66084	WIPO			
	134.	11/09/2000	WO 00/66206	WIPO			
	135.	12/21/2000	WO 00/76673	WIPO			
	136.	01/25/2001	WO 01/05459	WIPO			
	137.	03/15/2001	WO 01/17568	WIPO			

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	Applicant: Joshua D. RABINOWITZ et al.			
	Filing Date: 12/30/2003		Group Art Unit: Not Yet Known	

	138.	06/14/2001	WO 01/41732	WIPO			
	139.	03/28/2002	WO 02/24158	WIPO			
	140.	03/28/2002	WO 02/24158	WIPO			

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(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	141.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	142.	Campbell, Fiona A. et al. (2001) "Are cannabinoids an effective and safe treatment option in the management of pain? A qualitative systematic review," <i>BMJ</i> , 323 pp.1-6.
	143.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	144.	Cichewicz, Diana L. et al. (1999) "Enhancement of u Opioid Antinociception by Oral Delta-9-Tetrahydrocannabinol: Dose-Response Analysis and Receptor Identification," <i>The Journal of Pharmacology and Experimental Therapeutics</i> 289(2):859-867.
	145.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
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	148.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology</i> . 93(3): 619-628.
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	150.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <i>The Lung: Scientific Foundations</i> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.
	151.	Graves, D.A. et al. (1983). "Patient-Controlled Analgesia," <i>Annals of Internal Medicine</i> . 99:360-366.
	152.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry & Behavior</i> . 36(1):1-7.

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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	

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		Applicant: Joshua D. RABINOWITZ et al.			
		Filing Date: 12/30/2003		Group Art Unit: Not Yet Known	
	153.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 μ m," <i>J. Aerosol Sci.</i> 17(5):811-822.			
	154.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.			
	155.	Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.			
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	158.	Martin, B.R. and Lue, L.P. (May/June 1989). "Pyrolysis and Volatilization of Cocaine," <i>Journal of Analytical Toxicology</i> 13:158-162.			
	159.	Mattox, A.J. and Carroll, M.E., (1996). "Smoked heroin self-administration in rhesus monkeys," <i>Psychopharmacology</i> , 125:195-201.			
	160.	Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224.			
	161.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.			
	162.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"			
	163.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.			
	164.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.			
	165.	Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.			
	166.	Sekine, H. and Nakahara, Y. (1987). "Abuse of Smoking Methamphetamine Mixed with Tobacco: 1. Inhalation Efficiency and Pyrolysis Products of Methamphetamine," <i>Journal of Forensic Science</i> 32(5):1271-1280.			
	167.	Vapotronics, Inc. (1998) located at http://www.vapotronics.com.au/banner.htm , 11 pages, (visited on June 5, 2000).			
	168.	Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology & Therapeutics</i> 62(6):596-609.			
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Docket Number: 00036.07 CON	Application Number: 10/749,539
		Applicant: Joshua D. RABINOWITZ et al.	
		Filing Date: 12/30/2003	Group Art Unit: Not Yet Known
	169.	Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry & Behavior</i> . 55(2):237-248.	
EXAMINER:		DATE CONSIDERED:	
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